



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,050	08/09/2001	Ryosuke Takeuchi	450100-03410	4114
20999	7590	12/08/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			TRAN, HENRY N	
			ART UNIT	PAPER NUMBER
			2674	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/927,050

Applicant(s)

TAKEUCHI, RYOSUKE

Examiner

Henry N. Tran

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005 and 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

The RCE received 9/14/05 and the amendment received 7/22/05 have been thoroughly considered; and this Office action is in response thereto.

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The new terms: “objects”, “a current display range”, and “elements” appearing in the newly amended claim 1 have no clear support or antecedent basis in the specification.

As applicant suggested in section I of the Remarks/Arguments (page 6 of the above-identified amendment), the examiner has reviewed the specification, pages 38-42 and Fig. 19; however, the definitions or supports for said above claim terms have not been found.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

4. Re claim 1, which comprises the following limitations:

(i) “a display screen adapted to display objects both within a current display range as well as displaying objects outside said current display range using a pointer ...whereby the display screen displays objects outside said current display range”;

(ii) “a display unit for displaying elements both within and outside said current display range, the elements including a block indicative of said first operation portion, said predetermined information and said pointer”; and

(iii) “controlling means for controlling said display unit ...”.

The examiner is unclear about the follows:

(i) the difference between the “objects” and “elements”, and the meaning of “a current display range”;

(ii) which “objects” and “elements” are displayed within “a current display range”, and which “objects” and “elements” are displayed outside said “a current display range”;

(iii) As suggested by the applicant as noted in section 1 discussed above, the specification, pages 38-42 and Fig. 19, comprises a written description for displaying of Electric field Strength in Remote Controller (3), wherein the electric field strength information is displayed on the display unit (44) of the remote controller (3); and that would help the portable telephone user to check a current electric wave reception state “very simply without especially taking out the main body (2) from the bag or the like”. It’s clear that the electric field strength information is displayed on the display unit (44) of the remote controller (3). However, nowhere in said portion of said above specification states that “the electric field strength information” is the claimed “elements”. Moreover, in the amended claim 1, it’s requires that: “the elements

Art Unit: 2674

including a block indicative of said first operation portion”, which is nowhere found in the descriptive portion of page 38-42 and Fig. 19; and further

(iv) the “controlling means for controlling said display unit ...” is unclear because as illustrated in Fig. 4, there are 2 controlling means, one is the “system controlling unit (57)” resided in the main body (2), and the other is the “remote controller controlling unit (46)” resided in the remote control unit (3), they are both used for controlling the display unit (44). The examiner is unclear which controlling means, and how the controlling means is used to control “said display unit (44) so as to shift said pointer ...should be shift to locate said predetermined information outside the display range.

Because of the reasons discussed above, claim 1 is found failing to comply with the written description requirement.

5. Re claims 2-6, which are dependent upon the base claim 1, and therefore rejected on the same reasons set forth for the claim 1.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-6 recites the limitations: “objects”, “a current display range”, and “elements” in lines 1 and 7 of the base claim 1. There are insufficient antecedent basis for these limitations in the claims.

The examiner is unable to apply prior art to reject the claim invention until the above rejections under 35 U.S.C. 112 first and second paragraphs overcome.

Response to Arguments

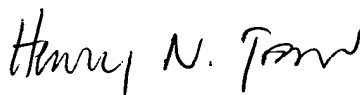
8. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new grounds of rejection discussed above.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Henry N Tran
Primary Examiner
Art Unit 2674